

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF HORIZON CELLULAR	)	
TELEPHONE COMPANY OF CENTRAL	)	
KENTUCKY, L.P., A DELAWARE LIMITED	)	
PARTNERSHIP, FOR ISSUANCE OF A	)	
CERTIFICATE OF PUBLIC CONVENIENCE	)	
AND NECESSITY TO CONSTRUCT AN	)	
ADDITIONAL CELL FACILITY IN THE	)	CASE NO. 95-394
KENTUCKY RURAL SERVICE AREA NO. 6	)	
WHICH INCLUDES MADISON, GARRARD,	)	
BOLE, CASEY, LINCOLN, ROCKCASTLE,	)	
PULASKI, AND LAUREL COUNTIES IN	)	
KENTUCKY (THE DANVILLE CELL	)	
FACILITY)	)	

O R D E R

On September 27, 1995, the Commission received the attached letter from the Danville-Boyle County Planning and Zoning Commission ("Planning Commission") regarding the proposed cellular telecommunications facility to be located at Persimmon Knob Road, Junction City, Boyle County, Kentucky.

IT IS THEREFORE ORDERED that:

1. Horizon Cellular Telephone Company of Central Kentucky, L.P. ("Horizon Cellular") shall respond to the Planning Commission's concerns by certified letter, within 10 days of the date of this Order.

2. Horizon Cellular shall file a copy of the certified letter and dated receipt, within 7 days of the date on the receipt.

Done at Frankfort, Kentucky, this 9th day of October, 1995.

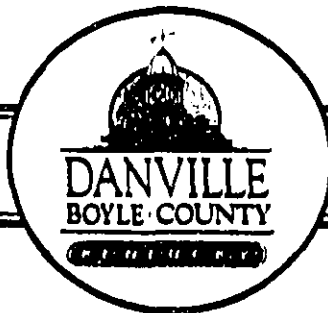
ATTEST:

  
\_\_\_\_\_  
Executive Director

PUBLIC SERVICE COMMISSION

  
\_\_\_\_\_  
For the Commission

PLANNING AND  
ZONING COMMISSION



445 West Main Street  
Danville, Kentucky 40422  
(606) 238-1235

September 26, 1995

REC'D

SEP 27 1995

Public Service Commission of Kentucky  
Executive Director's Office  
P.O. Box 615  
Frankfort, KY 40602

RECEIVED

PUBLIC SERVICE  
COMMISSION

RE: Horizon Cellular Telephone Company  
Case No. 95-394

SEP 28 1995

GENERAL COUNSEL

Dear Sir:

As requested, this letter is in response to the Public Notice dated September 8, 1995 informing this office of the proposed facility for Horizon Cellular Telephone Company of Central Kentucky, L.P. After review of the proposed facility, it has been determined that a conditional use permit must be obtained from the Danville-Boyle County Board of Adjustments. A building permit is required before construction of the proposed equipment shelter begins, and will be granted only after approval of the conditional use permit.

Enclosed, for your convenience, is an application for a conditional use permit. Please contact me if you have any questions or comments.

Sincerely,

*Paula Bary*  
PAULA BARY  
DIRECTOR

PB:dw

enclosure

BOARD OF ADJUSTMENTS AND APPEALS

APPLICATION FOR HEARING

I, \_\_\_\_\_ hereby request a hearing  
before the Danville-Boyle County Board of Adjustments and Appeals for the  
following request: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Location: \_\_\_\_\_

Attach 8 copies of a surveyed plat drawn to scale showing the location of  
variance/conditional use.

FEE: \$327.00 (\$200 hearing + \$100 transcript deposit + \$27 filing fee)

This fee is to pay for the cost of the required public notice, postage, and  
other court fees for the hearing. The Board has required that a certified  
court recorder be present at each of the meetings at the cost of the  
applicant and this is incorporated as best as we can in your initial  
application. Any expenses incurred after that will also be your responsibility.

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

\*\*\*\*\*

Hearing Date: \_\_\_\_\_ 10:00 a.m. Danville City Hall Courtroom

TRS Meeting: \_\_\_\_\_ 9:00 a.m. Danville City Hall Conference Room

Notice to adjoining property owners (14 days before hearing) \_\_\_\_\_

Notice in newspaper (7-21 days before hearing) \_\_\_\_\_

Notice posted on property (14 days before hearing) \_\_\_\_\_

Decision of Board: Approved \_\_\_\_\_ Denied \_\_\_\_\_ Date \_\_\_\_\_ Appealed \_\_\_\_\_

Pursuant to Section 422.5 before any conditional use permit shall be issued, the Board shall make written findings certifying compliance with the specific rules governing the individual permits and that satisfactory provision arrangement has been made concerning the following, where applicable.

In your own words address the following areas of concerns, as applicable. You may use additional pages as necessary.

1. 422.51 - Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
2. 422.52 - Off-street parking and loading areas where required with particular attention to effects of the conditional use permit on adjoining properties and properties generally in the district.
3. 422.53 - Refuse and service areas.
4. 422.54 - Utilities (including septic or sewer), with reference to locations and availability.
5. 422.55 - Screening and buffering with reference to type, dimensions, and character.
6. 422.56 - Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, and compatibility and harmony with properties in the district.
7. 422.57 - Required yards and other open space.
8. 422.58 - General compatibility with adjacent properties and other property in the district.

## APPLICATION FOR VARIANCE

Pursuant to Section 423 of the Zoning Ordinance, the Board of Adjustments may not grant a variance until the applicant can demonstrate that the requested variance is in compliance with 423.1 of the Ordinance.

In the space following, answer each question considering the requested variance for your property. Use additional pages if necessary.

1. What special conditions or circumstances, which make the variance necessary, exist which are unique to the land, structure, or building for which the variance is requested?
  
  
  
  
  
  
  
  
  
  
2. How would the literal interpretation of the Ordinance (i.e. not receiving the variance) deprive the applicant/owner of rights commonly enjoyed by other properties in the same district?
  
  
  
  
  
  
  
  
  
  
3. Explain how the special circumstances or conditions (Question 1) are not a result of actions taken by the applicant/owner after passage of the Zoning Ordinance.
  
  
  
  
  
  
  
  
  
  
4. Will the granting of the proposed variance confer on the owner/applicant any special privileges denied to other properties in the Zoning District?
  
  
  
  
  
  
  
  
  
  
5. How will the granting of the variance affect neighboring premises?

THE FOLLOWING IS A LIST OF OWNERS AND THEIR ADDRESSES OF EVERY PARCEL OF PROPERTY ADJOINING THE PROPERTY FOR WHICH THE APPROVAL OF ZONE CHANGE/ PRELIMINARY PLAT/PUD/ BOARD OF ADJUSTMENTS FOR \_\_\_\_\_ IS BEING SOUGHT.

NAME

**ADDRESS**

This image shows a single sheet of white paper with horizontal black ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. On the left side, there is a vertical margin line, creating a narrow left margin. A small dark mark or smudge is visible near the top center of the page. The overall appearance is that of a clean, unused piece of stationery.

**SUPPLIED BY:**

**APPLICANT**

THIS IS TO CERTIFY THAT LETTERS WERE SENT TO ALL ADJOINING PROPERTY OWNERS  
AS LISTED ABOVE FOR:  
ZONE CHANGE/PRELIMINARY PLAT/PUD/BOARD OF ADJUSTMENTS ON \_\_\_\_\_

**RY 1**